

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2014060846

ORDER DISMISSING CASE

On June 16, 2014, Parent filed a request for mediation naming the Los Angeles Unified School District. The Office of Administrative Hearings opened this case and issued a scheduling order.

APPLICABLE LAW

Education Code section 56501, subdivision (a) provides that a party may request a mediation or hearing for the following reasons:

- (1) There is a proposal to initiate or change the identification, assessment, or educational placement of the child or the provision of a free appropriate public education to the child.
- (2) There is a refusal to initiate or change the identification, assessment, or educational placement of the child or the provision of a free appropriate public education to the child.
- (3) The parent or guardian refuses to consent to an assessment of the child.
- (4) There is a disagreement between a parent or guardian and a local educational agency regarding the availability of a program appropriate for the child, including the question of financial responsibility, as specified in Section 300.148 of Title 34 of the Code of Federal Regulations.

Education Code section 56502, subdivision (c) requires that a request for hearing or mediation contain specific information, including the name of the child; the address of the residence of the child, or available contact information in the case of a homeless child; the name of the school the child is attending; and a description of the nature of the problem of

the child within the scope of Education Code section 56501, subdivision (a), including facts relating to the problem. In addition, a copy of the request for mediation must be provided to the other party.

DISCUSSION

The request for mediation in this case did not comply with the legal requirements. It did not state Student's address or the name of the school Student is currently attending. In addition, there is no indication that the school district was served with a copy of the request. It is also unclear whether the problem stated in the request concerns the identification, assessment, educational placement, or provision of a free appropriate public education under the laws governing special education eligibility and services.

OAH opened this case in error. Parent may submit another request for mediation, hearing, or both with the required information. Parent is encouraged to use the form that is available on OAH's special education website (<http://www.dgs.ca.gov/oah/SpecialEducation/Forms.aspx>). The form can be found at <http://www.documents.dgs.ca.gov/oah/SE/Forms/OAH%2064%20rev.%2011-11.pdf>.

ORDER

This case is dismissed without prejudice.

DATE: June 25, 2014

/s/

JUDITH A. KOPEC
Division Presiding Administrative Law Judge
Office of Administrative Hearings